IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Writ Petition No. 148 (M/B) of 2006

1. Sanjay S/o Late Rajendra Kumar
R/o Sachin Soes And Chappal Store Shop
Gorakh Nath Mandir
Uppar Road
P.S. Kotwali City Haridwar
District Haridwar
2. Anil Kumar Acharya
S/o Sri Charan Das
R/o Lalkuan P.S. Khankal
District Haridwar … Petitioners

Versus

1. State of Uttaranchal
Through Senior Superintendent of Police
Haridwar, District Haridwar
2. Station Officer
Police Station Kotwali City Haridwar
District Haridwar
3. D.K. Aggarwal Assistant Engineer
Electricity Distribution Division (UPCL) Revenue
Mayapur
District Haridwar … Respondents

Hon'ble M.M. Ghildiyal, J.
Hon'ble B.C. Kandpal, J.

1. This writ petition has been filed by the petitioner for issuing a writ in the nature of certiorari quashing the impugned F.I.R. in Case Crime No. 956-A/2003 under Sections 420, 467, 471, 468 of I.P.C. Police Station Kotwali City Haridwar, District Haridwar.

2. Heard Sri Parikshit Saini, learned counsel for the petitioners and perused the documents filed in support of the petition.

3. The notice which has been sent to the petitioners by the Investigating Officer does not indicate that the prosecution is going to take the coercive measures against the petitioners. The notice only

indicates that the petitioners have to produce evidence before the Investigating Officer.

4. At this stage, we are not supposed to interfere, as the evidence are still hazy and incomplete. We are not supposed to embark upon an inquiry as to the reliability of the evidence and sustainability of accusation on a reasonable appreciation of such evidence.

5. We do not find ay force in this petition and it is liable to be dismissed.

6. Accordingly, the petition is dismissed.

(B.C. Kandpal, J.) **(M.M. Ghildiyal, J.)**

13.02.2006
ASWAL